

החומר

SEP 11 2007

Full name: _____

Released: September 7, 2007

2. In 2000, 35 megahertz of BAS spectrum was allocated to the 2 GHz Mobile Satellite Service, which was made responsible for BAS relocation (47 C.F.R. §§ 74.690, 78.40).¹ In 2004, a portion of this spectrum (5 megahertz) was reallocated to Nextel Communications, Inc. (the predecessor in interest to Sprint Nextel) under the terms of the *800 MHz Order*.² Although both Sprint Nextel and 2 GHz MSS licensees have equal obligations to relocate the 1.9 GHz BAS incumbents, Sprint Nextel's

² See *Improving Public Safety Communications in the 800 MHz Band (800 MHz Order)*, WT Docket No. 02-55, ET Docket No. 00-258, Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order, 19 FCC Rcd 14969 (2004).

obligation is to complete relocation of all BAS facilities by September 7, 2007.³

3. On September 4, 2007, Sprint Nextel, MSTV, NAB and SBE filed a Joint Petition requesting that the Commission waive the current BAS transition completion date for an additional twenty-nine months. On our own motion, pursuant to 47 C.F.R. § 1.3, we hereby waive the deadline by which Sprint Nextel must complete relocation of the broadcast auxiliary service to frequencies above 2025 MHz for a period of 60 days (*i.e.*, the new deadline will become November 6, 2007). This will provide the Commission with time to consider the issues raised by the Joint Petition.

4. Accordingly, IT IS ORDERED, pursuant to Sections 4(i) and (j) of the Communications Act of 1934, as amended, 47 C.F.R. §§ 154(i) and (j), and Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, that the deadline by which Sprint Nextel must complete relocation of the broadcast auxiliary service to frequencies above 2025 MHz is waived for a period of 60 days.

5. IT IS FURTHER ORDERED that the effective date of this Order is the date upon which this Order is released by the Commission.

FEDERAL COMMUNICATIONS COMMISSION

Marlene Dortch
Secretary

³ The Commission had initially required that BAS relocation be completed within thirty months after the effective date of the 800 MHz Order, *i.e.*, May 7, 2007. *Id.* The Commission subsequently extended this deadline to September 7, 2007. See *Commission Seeks Comment on Ex Parte Presentations and Extends Certain Deadlines Regarding the 800 MHz Public Safety Interference Proceeding*, WT Docket No. 02-55, Public Notice (rel. Oct. 22, 2004).